

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: YASUFUMI KANEDA

SERIAL NO.: 10/824,757

FILED: April 14, 2004

FOR: **VIRUS ENVELOPE VECTOR FOR GENE
TRANSFER**

EXAMINER: Whiteman

ART UNIT: 1635

CONFIRMATION No.: 7091

Communication

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicant's response of May 1, 2006, please find enclosed the following document:

- A Declaration under 37 C.F.R. §1.132 executed by Yasufumi Kaneda and referenced in the May 1, 2006 response.

No fees are believed due with this communication, however, the Commissioner is authorized to charge any fees deemed due for timely consideration of this communication to Deposit Account No. 50-2207.

Respectfully submitted,

Date: May 23, 2006

Jacqueline F. Mahoney
Registration No. 48,390

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Phone: (650) 838-4410



Attorney Docket No. 59150-8010.US00

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Declaration Under 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Yasufumi Kaneda, declare and affirm as follows:

1. I am the inventor of the subject matter described and claimed in U.S. Patent Application Serial No. 10/824,757, filed April 14, 2004, entitled VIRUS ENVELOPE VECTOR FOR GENE TRANSFER.

2. I am co-Inventor of U.S. Patent No. 6,432,925 filed April 16, 1998 and issued August 13, 2002, entitled RNA CANCER VACCINE AND METHODS FOR ITS USE, hereafter "the '925" patent. The patent includes as a co-Inventor Dave S.B. Hoon.

3. The '925 patent discloses, but does not claim, a viral liposome vector comprising fused HIV, which contains a viral envelope, with nonviral reagents for delivery of nucleic acid encoding a tumor-associated antigen into a tumor or an organ (see Abstract).

4. I hereby declare and affirm that I conceived the subject matter disclosed in the patent and relied upon in the rejection as described in point 3, above.

Attorney Docket No. 59150-8010.US00

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

May 9, 2006
Date

Yasufumi Kaneda
Yasufumi Kaneda